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Counsel for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF MARIE
HAYRAPETIAN IN SUPPORT OF JOINT
SUBMISSION RE: SEALING PORTIONS
OF ORDER ON PLAINTIFFS' MOTION
FOR SANCTIONS FOR DISCOVERY
MISCONDUCT (DKT. 588)**

Judge: Hon. Susan van Keulen, USMJ

1 I, Marie Hayrapetian, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney with Quinn
3 Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant, Google LLC (“Google”) in this action.
4 I make this declaration of my own personal, firsthand knowledge, and if called and sworn as a
5 witness, I could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of the Joint
7 Submission Re: Sealing Portions of the Order on Plaintiffs’ Motion for Sanctions for Discovery
8 Misconduct (Dkt. 588). In making this request, Google has carefully considered the relevant legal
9 standard and policy considerations outlined in Civil Local Rule 79-5. Google makes this request
10 with the good faith belief that certain information sought to be sealed consists of Google’s
11 confidential information and that public disclosure could cause competitive harm.

12 3. Google respectfully requests that the Court seal the redacted portions of the Order on
13 Plaintiffs’ Motion for Sanctions for Discovery Misconduct (Dkt. 588) (“Order”).

14 4. The information requested to be sealed contains Google’s non-public, sensitive
15 confidential and proprietary business information that could affect Google’s competitive standing
16 and may expose Google to increased security risks if publicly disclosed, including various types of
17 Google’s internal projects, identifiers, data signals, and logs, and their proprietary functionalities,
18 as well as internal metrics, which Google maintains as confidential in the ordinary course of its
19 business and is not generally known to the public or Google’s competitors.

20 5. Such highly confidential information reveals Google’s internal strategy and systems
21 regarding various important products and nonpublic investigations thereto and falls within the
22 protected scope of the Protective Order entered in this action. *See* Dkt. 81 at 2-3.

23 6. Public disclosure of such highly confidential information could affect Google’s
24 competitive standing as competitors may alter their system designs and practices relating to
25 competing products, time strategic litigation, focus their patent prosecution strategies, or otherwise
26 unfairly compete with Google. It may also place Google at an increased risk of cybersecurity threats,
27 as third parties may seek to use the information to compromise Google’s internal systems and
28 operations.

1 7. On May 27 and 31, 2022, the parties conferred on the proposed redactions to the
2 Order. Plaintiffs take no position on sealing Google's proposed redactions.

3 8. For these reasons, Google respectfully requests that the Court order the identified
4 portions of Order to be sealed.

5 I declare under penalty of perjury of the laws of the United States that the foregoing is true
6 and correct. Executed in Los Angeles, California on May 31, 2022.

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8 DATED: May 31, 2022

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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11 By /s/ Marie Hayrapetian
12 Marie Hayrapetian
13 *Attorney for Defendant*
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